

SHIZU FUJII AND HER SON, SUENORI FUJII

JULY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 585]

The Committee on the Judiciary, to whom was referred the bill (S. 585) for the relief of Shizu Fujii and her son, Suenori Fujii, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial bar to admission into the United States in behalf of Shizu Fujii and her son, Suenori Fujii, who are the wife and child of a resident of the United States, and who are the mother and brother of three native-born United States citizens residing in the United States.

GENERAL INFORMATION

The beneficiaries of the bill are natives and citizens of Japan, 52 and 14 years of age, respectively. Mrs. Fujii resided in the United States with her husband from 1916 until 1936 when she returned to Japan with her husband and three United States citizen children. While in Japan the minor beneficiary of the bill was born in 1937. The husband and the three United States citizen children have all returned to the United States. Without the waiver of the racial bar providing for in the bill, the beneficiaries of the bill will be unable to enter the United States to rejoin their family.

A letter dated October 17, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General in

reference to S. 3077, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

DEPARTMENT OF JUSTICE,
Washington, October 17, 1950.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 3077) for the relief of Shizu Fujii and her son, Suenori Fujii, aliens.

The bill would provide that the provisions of section 13 (c) of the Immigration Act of 1924, as amended (8 U. S. C. 213 (c), which excludes from admission to the United States persons who are ineligible to citizenship, shall not hereafter apply to Shizu Fujii and her son, Suenori Fujii, of Kumamoto-ken, Japan. The bill would further direct the Secretary of State to cause an immigration visa to be issued to the said Shizu Fujii and her son, Suenori Fujii, permitting their immediate entry into the United States for permanent residence if they are found to be otherwise admissible under the provisions of the immigration laws.

The files of the Immigration and Naturalization Service of this Department disclose that Shizu Fujii is a native and citizen of Japan, having been born in Kumamoto-ken, Japan, on July 5, 1898. Her son, Suenori Fujii, was born in Japan on May 1, 1937. It appears that Mrs. Fujii arrived at San Francisco, Calif., in 1916 and resided in the United States until December 24, 1936, at which time she, her husband, and their three children went to Japan. The family had, at that time, reentry permits, except the children, born in the United States, who traveled on United States passports. The beneficiaries of the instant bill are presently residing at Kumamoto-ken, Japan.

It appears that Mike Mansaku Fujii, the husband and father of the aliens, is a native and citizen of Japan. He stated that he first left Japan in 1899, at which time he settled in Hawaii and resided there until 1904 when he came to the United States and settled in Seattle, Wash. Mr. Fujii returned to Japan with his family in December 1936, where he remained 6 months. He then returned to the United States, bringing back with him two of his sons, Carl and John, who were born in Fort Lupton, Colo., and who are citizens of this country. Joe Fujii, a third son, remained in Japan until 1947, at which time he was issued a United States passport. Thereafter he was admitted at the port of San Francisco, Calif. on November 10, 1947.

Being Japanese, the aliens are racially ineligible to citizenship under section 303 of the Nationality Act of 1940, and, consequently, are inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special or general legislation the aliens cannot be permitted to enter the United States for permanent residence. Whether in this case the provisions of the immigration laws should be waived presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Sincerely yours,

PETER CAMPBELL BROWN,
Acting Deputy Attorney General.

Senator Edwin C. Johnson, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
July 29, 1950.

Hon. PAT McCARRAN,
Chairman, Senate Judiciary Committee, Washington, D. C.

DEAR SENATOR McCARRAN: I am attaching data you requested some time ago in connection with my bill, S. 3077, in behalf of Shizu Fujii and her son, Suenori Fujii. Also enclosed is a letter from the editor of the Rocky Shimpō, a Japanese newspaper in Denver, Colo., from which you will note that Shizu Fujii's husband has lived and farmed in Colorado more than 40 years. Three of their children are American citizens, having been born in the United States.

The entire family made a trip to Japan in December 1936, and the father returned in August 1937. Soon after, the child Suenori Fujii was born to Shizu Fujii. The other children, aged 20, 17, and 14, respectively, returned to the

United States on October 18, 1948, but the mother and Japanese-born child were refused visas.

I hope it will be possible for your committee to approve my bill which would allow this family to be reunited after so many years' separation. Mr. Fujii is past 73 and is most anxious to have his wife and youngest son with him and their other children.

Many thanks for your courtesy and attention.

Sincerely,

ED. C. JOHNSON.

THE ROCKY SHIMPO,
Denver 1, Colo., July 21, 1950.

Hon. Senator EDWIN C. JOHNSON,
United States Senator, Washington, D. C.

DEAR SENATOR JOHNSON: Thank you for your letter of July 15 which we received in our office this morning.

In reference to the questions which the Senate Judiciary Committee has asked, we would like to submit the following answers:

Question No. 1

Joe's mother entered the United States on August 1916 at the port of San Francisco. She remained in the United States until December 25, 1936, when she left for Japan via the port of San Francisco. She has not returned to the United States since then.

Question No. 2

Joe's father is not an American citizen. He entered the United States in August 1916 and went to Japan on December 25, 1936. He returned to the United States in the following year on August 26, 1937, via San Francisco port also.

Question No. 3

Joe's mother is not engaged in any activities, political or otherwise, injurious to the American public interest.

Question No. 4

She has never been convicted of any offense under any Federal or State law whatsoever.

Question No. 5

Joe's mother is at home keeping house and taking it easy. As we understand it, Joe's mother's heart is not in good condition, and we would like to see her return to her family as soon as possible, as she is over in Japan, she will worry about the family and she can't stand too much of that.

Question No. 6

Joe sends about \$25 each month for her support. She is only depending on Joe at the present time for money. Twenty-five dollars in American money is not very much but in Japanese money it is quite a sum.

In closing, I hope that you will try your best to put this bill through this session so that she will be able to return to this country by this fall, as the winter season comes it will be awfully cold in Japan, she will suffer a lot again this year.

Thanking you for your past cooperation and all your favors.

I wonder if you would be so kind as to inform us by telegram when this bill passes the Judiciary Committee and is sent to the House for passing so that we can expect when Joe's mother may return to the United States.

The rest of the family and I are all praying for the early return of Joe's mother and brother to the United States.

Sincerely yours,

TETSUKO M. TODA.

THE ROCKY SHIMPO,
Denver 1, Colo., February 1, 1950.

Hon. Senator EDWIN C. JOHNSON,
Colorado Senator, Washington, D. C.

DEAR SENATOR JOHNSON: I'm writing you to ask a special favor of you again.

We have an employee in our firm who wants to call his mother and younger brother from Japan to the United States.

The employee is Joe Fujii.

Joe went to Japan in December of 1936 with his mother, two younger brothers, and one younger sister. They were all caught in the war and had to remain there until October 1947 when Joe returned to the United States. His brothers, James and Sam, 17 and 14, respectively, and sister Alice, who is 20, returned to the United States on October 18, 1948.

Joe's mother remained in Japan with his youngest brother who was born in Japan in May of the following year they left the United States.

He wants to call his mother because his younger brothers and sisters need the motherly love and understanding that only a mother can give.

His father is 73 and, according to age, he doesn't have too long to live. He would like very much to have her join the family. They miss their mother tremendously.

Joe's father has been in Fort Lupton for over 40 years, farming there. He is known to be of fine character and is respected by everyone in Fort Lupton. His mother was living in Fort Lupton also from 1914 to the time she left the United States for Japan. She was also a respectable citizen while she was living in Fort Lupton.

Joe is 22 and has been working for our firm for the past 3 months. He is of fine character and is well liked by all who work with him.

My father also has known Joe's mother and father and he says that they are both fine people. He would also like to see her return to her family in Fort Lupton.

The reason why I have written all this information is that I would like to have you introduce a special bill in Congress so that, if passed upon, Joe's mother will be able to return to the United States.

Please make this bill for both Joe's mother, Mrs. Shizu Fujii, 54, Kagami machi 354, Yatsushiro-gun, Kumamoto-ken, Japan, and brother Suenori Fujii, 12, same address.

Joe and the rest of the family will guarantee that they will support their mother and brother and that they will not become public charges.

Joe's younger brothers and sister just pray every day for their mother's return. That is Joe's firm wish also.

Please do all in your power to get Mrs. Fujii and her son back to the United States. We all feel that it would help the morale of the family tremendously if they are together.

Thanking you for your support in helping us bring Joe's mother and brother to the United States.

Respectfully yours,

TETSUKO M. TODA,
Editor, the Rocky Shimpō Newspaper.

Mr. Rogers of Colorado appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of this legislation.

Having considered all the facts in this case, the committee is of the opinion that S. 585 should be enacted and it accordingly recommends that the bill do pass.

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